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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/495,223	01/31/2000	Yet Chan	5402	4580

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03/20/2003

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EXAMINER

PERKEY, WILLIAM B

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/495,223

Applicant(s)

CHAN, YET

Examiner

William B. Perkey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01-31-03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Prosecution on the merits of this application is reopened on claims 50-62 considered unpatentable for the reasons indicated below.

Claims 43-55 filed November 1, 2002 have been renumbered as claims 50-62 to achieve compliance with 37 CFR 1.126 regarding the numbering of claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 50-55 and 58-61 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (U.S. Patent No. 6,447,176).

White et al. discloses a film assembly 14 loaded into a camera. The film assembly includes a spoolless canister 12 and a film cartridge 40 with a spool 39. The film canister 12 is shown in Figs. 3A and 3B comprising 2 half-shells or an inner and outer sleeve as referred to by White et al.. Figs. 5A-6 disclose a method of loading a film into the film assembly using a tool. This procedure is performed in a dark environment. One end of the film is inserted into the fork of the winding tool 114. The required amount of film is wound onto the tool taken from either a bulk roll of film or from the film cartridge 40. If from the bulk roll, after the required amount is rolled onto the tool, the film is cut from the bulk roll and that end is attached to the film spool in the film cartridge 40 at some point of the film loading procedure. The tool with the film on it is

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inserted into the inner shell half 46 and the tool is removed, before the outer shell half is positioned over the inner sleeve half. Figs. 7 and 8 disclose a second embodiment wherein the spoolless canister is constructed as a single main cylindrical member and an end cap. Thus, White et al. fully discloses the method and apparatus of applicant's claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,447,176) in view of Light et al. (U.S. Patent No. 5,261,535).

White et al. shows the claimed method except for inserting both the first and second container into a package, which is then sealed. Light et al. discloses inserting a plurality of film canisters or cartridges into a package and then sealing the package. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to insert the film assembly of White et al. in a package and then seal it in order to obtain the desirable feature of keeping the film assembly without deterioration, until such time as customer purchases same.

6. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,447,176) in view of Craig (U.S. Patent No. 5,748,987).

White et al. shows the claimed method except for the film carrying pre-exposed latent images and ensuring that an alignment mark on the film is arranged in alignment with an alignment mark on the camera. Craig shows a camera system wherein the camera is loaded with

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film having pre-exposed images and in the paragraph bridging columns 3 and 4, discloses alignment marks on the film and camera body. It would have been obvious to one of ordinary skill art to provide the camera of White et al. with pre-exposed images on the film to be loaded into the camera using alignment marks, in order to obtain the desirable feature of obtaining double exposure composite images.

7. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (U.S. Patent No. 6,447,176) in view of Nerwin et al. (U.S. Patent No. 3,482,681).

White et al. shows the claimed method except for attaching a removable clip to secure the first and second film containers together. Nerwin, in Fig. 3, discloses a "clip" 32 in the form of a band made of paper or pressure sensitive tape or other suitable material securing a pair of film containers together. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to secure the film containers of the film assembly of White et al. together using a "clip" or band in order to obtain the desirable feature of keeping them together until such time as the purchaser is ready to install them into the camera.

Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (703) 308-1708. The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



William B. Perkey
Primary Examiner
Art Unit 2851

WBP:wbp
March 10, 2003